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SUBJECT: INDONESIA - DOL DRAFT LIST RE TRAFFICKING (TVPRA)

REF: A) STATE 43120
B) 08 JAKARTA 1097
C) 08 JAKARTA 1057

¶1. (U) This message was coordinated with Consulate General Surabaya and Consulate Medan.

¶2. (U) SUMMARY: Mission appreciates the opportunity to comment on the Department of Labor's draft Trafficking Victims Protection Reauthorization Act (TVPRA) Report. We request further information on how the draft list of Indonesian goods produced by child labor was determined, including the documentation used in the assessment. We also provide more contextual information on the production process. We believe that the incidence, severity and evidence of child labor in Indonesia for the three goods proposed in the draft TVPRA do not justify a listing. We furthermore believe that such a listing would be counter-productive to the solid cooperation we enjoy with Indonesians--and the progress they have made already--in preventing the Worst Forms of Child Labor (WFCL).
END SUMMARY.

ANALYZING THREE CATEGORIES

¶3. (U) Ref A listed three products as using child labor in Indonesia: footwear; tobacco; and, gold. The following provides Mission's analysis for child labor in these three industries.

WEST JAVA SANDAL PRODUCTION

¶4. (U) Mission reported on the manufacturing of women's shoes and sandals in the cottage shoe industry in Ciomas Regency (district), West Java (refs B and C). We sourced a 2008 report by a local Non Government Organization (NGO) Elsppat which had conducted research for the International Labor Organization (ILO). Elsppat credibly documented about 600 children age 14 and up working under WFCL conditions. Labatt also visited Ciomas to interview children and families employed in this cottage industry.

¶5. (U) The incidence appeared to be limited to this one community producing what apparently are local or counterfeit labels for small shops in Indonesia. We have no evidence of purchases by major companies. Children employed in this cottage industry were aged 14-17, mostly from the same area of Ciomas, working for their own families or neighbors.

CONCERTED ONGOING EFFORTS

¶6. (U) As a result of work by the ILO and Elsppat, the local community has been proactive in improving working conditions for children and eliminating WFCL in this industry. These efforts have resulted in some villages in this regency no longer employing child labor and others implementing healthier work conditions. Elsppat also has set up healthier industries for youth such as sewing and income-producing enterprises for adults to reduce the pressure for children to work. Increased spending on education by the GOI also has helped children stay in school. Finally, ILO and Elsppat have

received good cooperation from local government officials to reduce child labor in Ciomas and these efforts are on-going. Much work still needs to be done but there has been good progress over the past two years.

¶17. (U) Mission suggests that given the isolated incidence of this problem and ongoing efforts to combat it, an effective way forward would be to continue to work with the community and local government to step up efforts, including an awareness campaign among the small wholesale buyers and retailers. Listing this product at a time when efforts have begun to deal with the problem in earnest would be unproductive.

PROGRESS RE TOBACCO INDUSTRY

¶18. (U) Mission also reported isolated incidences of the use of child labor in tobacco growing and processing in North Sumatra and East Java (Ref B). In North Sumatra, a 2004 ILO study documented seasonal child labor under WFCL conditions on several tobacco plantations. In 2008, however, Consulate Medan interviewed reliable NGOs and personally visited one of these plantations, finding that children were no longer employed.

¶19. (U) This progress could be the result of ILO working with the local government and communities to reduce WFCL. It also might be due to awareness by European buyers, following the ILO report, which may have resulted in closing or partial closing of the European market for North Sumatra tobacco using child labor. ILO could not produce any recent evidence that child labor persisted in North Sumatran tobacco plantations.

¶110. (U) Separately, a 2006 ILO-IPEC study documented seasonal use of children in conditions of WFCL helping their families in tobacco production in Jember District, East Java. ConGen Surabaya also researched this matter in 2008. About 86 percent of the children were age 15 or older. Incidence was limited to that one district.

¶111. (U) However, ILO also reported that while this type of seasonal use of child labor persists, ILO and a local NGO have successfully worked with the local government and communities to significantly reduce the practice over the past 10 years. Efforts have included awareness programs by the local government and promotion of compulsory schooling for children.

¶112. (U) Given the limited incidence of WFCL in the tobacco industry and demonstrated success by the government and communities to eliminate the practice, we see little value in listing this product in the TVPRA at this point. Rather, we should continue to work with ILO and local NGOs to monitor the situation and assist with further action where needed.

GOLD INDUSTRY REPORTS UNSUBSTANTIATED

¶113. (U) Mission has cited unsubstantiated reports from local NGOs about exploitation of child labor in gold mining (ref B). We have yet to receive any reliable corroborating information and therefore recommend gold not be listed. Mission is interested in receiving and investigating any credible reports which DOL might have received on this.

WORKING CLOSELY

¶114. (U) Mission looks forward to working with DOL on clarifying the use of child labor for the three products listed in this draft. We furthermore would like to discuss programs we could pursue to address the situations and their complexities.

HUME